

# **EXHIBIT 0**

# Law Office of Mark E. Goldstucker

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February 13, 2019

**via electronic mail**

Ms. Kate Glaze  
Assistant General Counsel  
Martin Marietta  
2710 Wycliff Road  
Raleigh, North Carolina 27607-3033

Re: Batch Plant Operation at 2005 South McDonald Street, McKinney, Texas 75069

Dear Ms. Glaze:

I represent the City of McKinney ("City") in connection with Martin Marietta's ("Martin Marietta") property and batch plant operation located at 2005 South McDonald Street, McKinney, Texas 75069 ("Property"). City staff has determined that rezoning the Property to RO (Regional Office) uses, as set out in the City's Zoning Ordinance, is appropriate, and the City is preparing to initiate the rezoning process. Upon final approval of the rezoning, Martin Marietta's current use of the Property will be nonconforming.

The City, subject to City Council approval, is willing to enter into an agreement with Martin Marietta for ceasing Martin Marietta's current use of the Property and prohibiting any future batch plant or other heavy industrial uses. The terms of the City's offer include the following:

1. Martin Marietta will cease its current use of the Property on or before June 1, 2020.
2. Martin Marietta will, concurrently with the execution of the agreement, execute a Declaration of Restrictions, to run with the Property and be filed in the Collin County Deed Records, containing a negative covenant prohibiting batch plants and all other heavy industrial uses on the Property for a period of 30 years. This Declaration of Restrictions will be filed in favor of the City, will be enforceable by the City, and will be effective on the date of execution of the agreement.
3. Irrespective of its code noncompliance, Martin Marietta will be permitted to continue its current operation as a nonconforming use of the Property until



the cessation date. Any necessary waivers or variances required to allow such continuance of operations will be granted in the agreement.

Please let me know no later than February 22, 2019, whether this offer is acceptable to Martin Marietta. After that date, normal enforcement of City regulations will commence. If you wish to discuss the rezoning process, please contact the City's Director of Planning, Jennifer Arnold. Thank you.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Mark E. Goldstucker".

Mark E. Goldstucker